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## NOTICE OF ALLOWANCE AND FEE(S) DUE

27752

7590

08/13/2008

## THE PROCTER &amp; GAMBLE COMPANY

Global Legal Department - IP  
Sycamore Building - 4th Floor  
299 East Sixth Street  
CINCINNATI, OH 45202

EXAMINER

DEXTER, CLARK F

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 08/13/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,325	08/29/2003	William Joseph Butsch	9350	1633

TITLE OF INVENTION: APPARATUS FOR SEPARATING A WEB MATERIAL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/13/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

27752 7590 08/13/2008  
**THE PROCTER & GAMBLE COMPANY**  
 Global Legal Department - IP  
 Sycamore Building - 4th Floor  
 299 East Sixth Street  
 CINCINNATI, OH 45202

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nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/13/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
DEXTER, CLARK F	3724	225-100000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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DENTER, CLARK F

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## THE PROCTER & GAMBLE COMPANY

Global Legal Department - IP  
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### Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 195 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 195 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

# Notice of Allowability

## Application No.

10/652,325

## Examiner

Clark F. Dexter

## Applicant(s)

BUTSCH ET AL.

## Art Unit

3724

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on May 5, 2008.
2. ☒ The allowed claim(s) is/are 1,3-5,7 and 8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

### THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment ~~Comment or in the Office action of Paper No./Mail Date.~~
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other Approved Drawing Change for Fig. 1.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Peter Meyer on August 4, 2008.

2. The application has been amended as follows:

#### In the Claims

Claim 1 has been rewritten as follows:

--1. (Currently Amended) An apparatus for separating a web material at a line of weakness, the apparatus comprising:

a) a bedroll having a circumference, the bedroll being disposed such that the web material passes around at least a portion of the circumference of the bedroll in a direction of travel, wherein the bedroll is disposed generally transverse to the direction of travel of the web material,

the bedroll comprising a shell and a bedroll chop off assembly, the bedroll chop off assembly comprising at least one web pin having a distal portion and at least one bedroll blade having a distal portion and a serrated web contacting edge, the bedroll blade being disposed to extend axially along the bedroll in a direction generally

transverse to the direction of travel of the web material, wherein the distal portions of the at least one bedroll blade and the at least one web pin are capable of extending beyond the shell of the bedroll,

first rotating means for rotating the bedroll blade wherein the bedroll blade  
~~rotates~~ at a first circumferential velocity,

b) a chop off roll disposed proximate and generally parallel to the bedroll, the chop off roll comprising at least one pin pad capable of circumferentially interfering with the at least one web pin, the chop off roll further comprising at least two chop off roll blades disposed to extend axially along the chop off roll in a direction generally transverse to the direction of travel of the web at a chop off roll blade spacing, the at least two chop off roll blades being capable of rotationally meshing with the at least one bedroll blade,

second rotating means for rotating the at least two chop off roll blades wherein  
~~the at least two chop off roll blades rotate~~ at a second circumferential velocity, [[and]]  
wherein the second circumferential velocity is distinct from the first circumferential velocity, and

means for synchronizing the rotation of the bedroll blades and the rotation of the  
at least two chop off roll blades such that the blades rotationally mesh as they pass one  
another at the distinct velocities.--.

Claims 7 and 8 have been rewritten as follows:

--7. (Currently Amended) The apparatus of claim 1 wherein the at least two chop off roll blades comprises three chop off roll blades.

8. (Currently Amended) The apparatus according to claim 1 wherein the at least one pin pad is capable of circumferentially interfering with at least one of the web pins, and wherein the at least two chop off roll blades comprise three chop off roll blades disposed to extend generally parallel each to the others and generally transverse to the direction of travel of the web, and wherein said chop off roll further comprises a plurality of web pads disposed generally along a line transverse to the direction of travel of said web, and wherein at least one of the three chop off roll blades is capable of rotationally meshing with the at least one bedroll blade.--.

#### In the Specification

The two paragraphs beginning on page 1, line 26 have been rewritten as follows:

An apparatus and method for separating a web material is described herein. In one embodiment the apparatus comprises a bedroll. The bedroll is disposed such that web material passes around at least a portion of the circumference of the bedroll in a direction of travel. The bedroll is disposed to axially extend generally transverse to the direction of travel. The bedroll comprises a shell and a bedroll chop off assembly. The bedroll chop off assembly comprises at least one web pin and at least one blade. The at least one blade is disposed to extend axially along the bedroll in a direction generally

transverse to the direction of travel and oriented with a blade tip directed away from the center of the bedroll shell. The blade tip and a tip of the web pin are capable of extending beyond the circumference of the shell of the bedroll. The bedroll is capable of rotating at a first circumferential speed.

The apparatus further comprises a chop off roll. The chop off roll is disposed proximally to the bedroll and generally parallel to the bedroll. The chop off roll comprises at least one pin pad and at least two blades. The pin pad is capable of circumferentially interfering with at least one of the web pins of the bedroll. The blades are disposed to extend axially along the chop off roll in a direction generally transverse to the direction of travel of the web. The two blades are disposed at a chop off blade spacing. The two blades are capable of rotationally meshing with at least one of the bedroll blades. The chop off roll is capable of rotating at a second circumferential speed that is distinct from the first circumferential speed.--.

The replacement paragraph for the paragraph beginning at page 3, line 17, filed on August 23, 2005, has been rewritten as follows:

-- The bedroll 100 comprises a shell 110 and a bedroll chop off assembly 120. The bedroll chop off assembly 120 is movable from a first position to a second position through the action of at least one cam and cam follower combination as is known in the art. The bedroll chop off assembly 120 comprises at least one web pin 130, and at least one blade 140. The web pin 130 is disposed proximally to the blade 140 and comprises a pin tip 132. The bedroll chop off assembly 120 may comprise a plurality of web pins



130 disposed generally along a line generally transverse to the direction of travel of the web material 300. The blade 140 is disposed to extend axially along the bedroll in a direction generally transverse to the direction of travel of the web material 300 and comprises a blade tip 142. In one embodiment shown in Figure 1, the bedroll chop off assembly 120 comprises a single blade 140. In another embodiment shown in Figure 2, the chop off assembly 120 [[,]] comprises two blades 140. In another embodiment (not shown), the bedroll chop off assembly 120 [[,]] comprises three blades 140. Still other embodiments comprising more than three blades 140 are within the scope of the invention. In each embodiment comprising a plurality of blades 140, the blades 140 are disposed to extend generally transverse to the direction of travel of the web material 300 and are generally parallel to each other separated by a bedroll blade spacing, A.--.

The paragraph beginning on page 4, line 11 has been rewritten as follows:

-- The chop off roll 200 [[,]] comprises at least one pin pad 230. The pin pad 230 is disposed in alignment with the web pin 130 of the bedroll 100. The pin pad 230 and the web pin 130 interfere with each other and the web pin tip 132 perforates at least a portion of the pin pad 230 as the pin pad 230 and the web pin 130 pass together through the gap 400. In another embodiment (not shown), the chop off roll 200 comprises a plurality of pin pads 230 disposed along a line generally transverse to the direction of travel of the web material 300. In this embodiment, the pin pads 230 are aligned with the web pins 130 located on the bedroll chop off assembly 120.--.

The paragraph beginning at page 4, line 18 has been rewritten as follows:

-- As shown in Figure 3, the pin pad 230 comprises a first portion 232 comprising a resilient material, and a second portion 234. The first portion 232 and/or the second portion 234 define an open chamber 236. The second portion 234 may comprise a resilient material or may comprise a non-resilient material. Exemplary resilient materials include closed cell polyester foam, and urethane materials. Exemplary non-resilient materials include metal substrates such as steel, copper, tin and aluminum, polycarbonates, acrylics and other polymeric materials as are known in the art. The first portion 232 is fixedly attached to the second portion 234. The first portion 232 is disposed on the chop off roll 200 at a radial position that will interfere with the web pin tip 132. The shape of the pin pad 230 facilitates the perforation of a portion of the pin pad 230 by the web pin 130 and by any web chad 500 separated from the main web 300 by the web pin 130. The web chad 500 and the web pin tip 132 [[,]] pass into the chamber 236 of the pin pad 230. The pin pads may be provided individually or as a plurality of pin pads formed in an assembly. The pin pad 230 may be fastened to the chop off roll 200 by any means known in the art. Mechanical fasteners, such as nails, screws, [[and]] rivets, adhesives, clamping mechanisms, or sliding dovetail fasteners are non-limiting examples of means for fastening the pin pads 230.--

The replacement paragraph for the paragraph beginning at page 4, line 33, filed on August 23, 2005, has been rewritten as follows:

-- The chop off roll 200 further comprises at least two blades 240. The blades 240 are disposed to extend axially along the chop off roll in a direction generally transverse to the direction of travel of the web material 300 and generally parallel to each other and separated by a chop off roll blade spacing, B. One blade 240 is disposed proximal to the pin pad 230. In an embodiment comprising a plurality of pin pads 230, one blade is disposed parallel to the line along which the plurality of pin pads 230 are disposed. The blades 240 each comprise a blade tip 242. In another embodiment the chop off roll 200 comprises three blades 240. Embodiments wherein the chop off roll 200 comprises more than three blades are within the scope of the invention. The blades 240 may be provided as single blades, or the blades 240 may be provided as pairs through u-channels.--.

The paragraph beginning on page 5, line 31 has been rewritten as follows:

-- The blades 140 and 240 may each comprise a single blade segment. In another embodiment, each blade may comprise a plurality of blade segments. In this embodiment, the blade segments may be disposed adjacent each to the next along a line generally transverse to the direction of travel with little if any spacing between the segments in the direction transverse to the direction of travel. In another embodiment, the blade segments may be spaced apart by a segment gap. The segment gap may range from 0.125 to 2 inches (3 to 50 mm). In another embodiment the segment gap

may range from 0.5 to 1.5 inches (12 to 37 mm). The segment gap varies according to the nature of the web material and the separation characteristics of the web material 300. Blades comprising a plurality of spaced apart blade segments require less material and facilitate the removal and replacement of a damaged segment without the necessity of replacing an entire blade. As described above, the blades may be provided as single blades or as a u-channel.--.

The replacement paragraph for the paragraph beginning at page 6, line 7 filed on May 9, 2005 has been rewritten as follows:

-- As shown in FIG. 4, the blades 240 may comprise a serrated web contacting edge at the blade tips 242. The serrations 246 of the web contacting edge may stabilize the position of the web material and facilitate the stretching of the web material 300 and subsequent failure of the line of weakness 310. In an alternative embodiment, the blade 140 may comprise a serrated web contacting edge (not shown).--.

#### In the Drawings

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In Figure 1, a box entitled "Rotating Means" will be added for each cylinder 100, 200, each having a line connecting the box to the corresponding cylinder; and a box entitled "Synchronizing Means" will be added having a line connecting this box to each

"Rotating Means" box. These additions are shown in the approved drawing change included herewith.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Remarks

4. The changes to the claims have been made to further clarify the claimed invention, particularly the addition of the first rotating means, the second rotating means and the means for synchronizing the rotation of the rolls. Support for these features is found in the original specification, for example, at page 4, lines 3-4, at page 5, lines 9-11, and at page 5, lines 16-17.

The changes to the drawings have been made to comply with 37 CFR 1.83, and these changes have support in the original specification, for example, at page 4, lines 3-4, at page 5, lines 9-11, and at page 5, lines 16-17.

The changes to the specification have been made to correct informalities.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Clark F. Dexter/  
Primary Examiner, Art Unit 3724**

cfd  
August 4, 2008